

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

Criminal No. 07-189-GZS

DANIEL RILEY, JASON GERHARD,
CIRINO GONZALEZ, and ROBERT
WOLFFE

Defendants

**ORDER DENYING DEFENDANT GONZALEZ'S
MOTION FOR BILL OF PARTICULARS**

Now before the Court is Defendant Gonzalez's Motion for Bill of Particulars (Docket No. 176). The Government has objected to the Motion (Docket No. 215). Defendant Gonzalez's Motion shall be granted only if "in the absence of a more detailed specification, will be disabled from preparing a defense, caught by unfair surprise at trial, or hampered in seeking the shelter of the Double Jeopardy Clause." United States v. Sepulveda, 15 F.3d 1161, 1192-93 (1st Cir. 1993) (citing United States v. Abreu, 952 F.2d 1458, 1469 (1st Cir. 1992) (collecting cases)). After a careful review, the Court does not find that the Third Superseding Indictment reveals a material inability to prepare a defense, untenable surprise, or other potential prejudice such that it is necessary to mandate further particulars. The Court, therefore, ORDERS that Defendant Gonzalez's Motion for a Bill of Particulars be, and it is hereby, DENIED.

/s/ George Z. Singal

Chief United States District Judge

Dated this 29th day of January, 2008.